THEMES AND THE HANDBOOKS

"DER ROSENCAVALIER" OF RICHARD STRAUSS.

It Produces a Hundred Leading Motives—System of Representative Themes as Applied to Recent Operas Wagner's Method Not Yet Understood.

The thematic handbook is again abroad in the land. An industrious, though possibly misguided person named Alfred Schattmann has put forth a little volume of eighty-eight pages entitled "Richard Strauss's 'Der Rosencavalier,' a Guide to the Work." This has been translated into English by Alfred Kalisch, whose field of critical labor is no less a place than London. Mr. Schattmann prefaces his dash into the musical jungle of the score by a few wise and general remarks. He says:

"The world has now been enriched by the experience of seeing Richard Strauss, the composer of 'Salome' and 'Elektra,' writing a comedy for music. Many have wondered and yet no one who has dived below the surface of the characteristics of Strauss's art need have felt surprise, for has not the creator of 'Don Quixote,' of 'Eulenspiegel' and, let us not forget, of 'Feuersnot,' given abundant proof that he is the possessor of humor, caprice, wit and exuberance as means of musical expression—in other words, of the essential elements of a comedy-opera in the strictest sense, which it may be said owes its origin to inner necessity?"

It is well to have such translucent sentences at the very beginning of a book of this kind. They assure us that we are in the hands of a guide who will wander with us through the labyrinth of the score, and never losing his hold upon our dependent hand get us out at the end somehow. We may not know just where we are when we come out, but we shall be there nevertheless.

It is exhilarating to be told that the world has been "enriched by the experience of seeing," &c. Seeing Strauss compose is always an enriching spectacle. To be sure it is a privilege granted to but few, but the composer, taking pity on the outer darkness of the vast majority of mankind, gave us an exquisite tone picture of himself in the immortal act of composition. One has only to listen to the "Symphonia Domestica" to know precisely how Mr. Strauss sounds when he is writing deathless masterpieces of autobiography such as "Ein Heldenleben." One is lost in wonder that the thing he is writing does not afterward sound as well as this act of writing it.

We feel grateful to Mr. Schattmann for telling us that because we have recognized the real humor of "Don Quixote" and "Til Eulenspiegel" we belong to the inner brotherhood. We have been burdened with a fear that all sorts of people knew that these works were humorous. Indeed, we have even fancied that we saw common or Broadway New Yorkers smiling with delight while listening to the exquisitely drawn picture of the doings of that amiable vagabond Eulenspiegel. But peradventure it is a day of expanding brows, and the wise men are more numerous than the casual observer had suspected.

Again this learned Theban discourses. "In one place wit, caprice, humor, exuberance and deep feeling predominate," "in another we find a ravishing minuet or trio (we might almost see it in Mozart), an Italian tune, a real "Prater Waltz," and in others an exaggerated or sentimental Mendelssohnian cantilena—for there is room for all these things in this richly furnished comedy for music; but let us not make too nearsighted an analysis, or by a too minute dissection of details misinterpret their connection with the whole."

It is after this comforting display of critical discretion that the author proceeds to present to the reader a neat selection of 100 leading motives, culled with scrupulous care to avoid a too detailed analysis. It is true that some of them are such little themes—only two or three notes—that perhaps they ought not to be counted. Others extend through several measures, and here again doubt arises, for your true leading motive is but a melodic fragment, not an extended tune. But who are we to ponder and hesitate over this matter? Has not the author at the very outset warned us against finical examination?

Well indeed do we know that Mr. Schattmann is a moderate. The thematic handbooks written about the works of the other Richard show us this conclusively. For instance, there was the industrious Arthur Smolian, who constructed one on the score of "Tannhäuser." Of course it was translated into English by William Ashton Ellis, whose eagle eye no Wagnerian leaflet, floating upon the mighty ocean of human literature, ever escaped.

Smolian, working in the earth like that old mole, *Hamlet's* father, dug up no less than thirty leading motives in the score of "Tannhauser." This tremendous labor appears to have exhausted this commentator, for thereafter he fell into obscurity and others occupied the centre of the stage. It is a pity that Wagner himself was not acquainted with all these representative themes. He would have enjoyed and understood his "Tannhäuser" so much better and the proud knowledge of the real character of his music might have compensated him for the rude conduct of the gentleman of the Jockey Club of Paris, who found no themes at all in it.

Again one turns to that masterly little work, "The Mastersingers of Nuremberg, a Musical Explanation with Numerous Musical Examples," by Alfred Heintz. This was not translated by Mr. Ellis, but by Constance Bache, and it can be obtained in the Strand for the low price of one and six.

Mr. Heintz's numerous musical examples number 83. Many, it must be confessed, are but variants of others. It is not so much in the addition of numbers as in the discovery of meanings, that this particular author excels. His supreme achievement is the discovery of a motive representing "the brotherhood of art." Doubtless if his studies had been directed to the score of Dvorak's American symphony he would have pondered long and deeply on that portion believed to paint the boundless spaces of the prairie, and there he would have found some recondite theme representing the brotherhood of locomotive engineers engaged in keeping the peace among the general union of railroad workers.

But to return to Mr. Schattmann. To do him justice he has excelled his predecessors in the discovery of themes. He has followed them patiently and tirelessly through the opera, describing just what they do in each scene and at each incident in the action. With this book in hand the future auditor at the American production of "Der Rosencavalier" will be able to tell whether the orchestra is playing the right theme at the right time, and if it is not to write a letter to the editor of his favorite newspaper the next day complaining of the manner in which he was swindled at the opera on the previous evening.

Perhaps this is not an inopportune moment to push forward to a brief comment of the leading motive system in general. There seems to be some danger that it may be made the subject of abuse. It certainly does not fit itself into the artistic conceptions of many composers who employ it without apparently having deeply considered its real nature. Nor does it satisfy the wants of an intelligent listener in every instance in which it is offered to him.

The general theory of musicians at the present time seems to be that only the leading motive system can be used in the composition of delineative music. Within limits this is a good working theory. The guiding theme is the most definite musical embodiment of an intellectual conception. It is without doubt excellently suited to the construction of orchestral delineative music. It is more necessary there than it is in opera, in which music has the aid of text, action and facial expression. But the thematic plan has been at the basis of instrumental programme music ever since its infancy. One finds it even in the music of Bach. Read that interesting little pamphlet "Le Descriptif chez Bach" by Gustave Robert.

But it is not of instrumental programme music that discussion is now to be invited. What confronts us as music lovers is the fact that operatic composers appear to believe that the burden of the Wagnerian system has fallen upon them. Richard Strauss built the scores of "Salome" and "Elektra" on the "leit motif" plan. Dukas wrote "Ariane et Barbe-Bleue" in the same manner. And behold, the luscious Puccini, wavering between the old and the new in the admirably fashioned score of his "Tosca," falls deeply into the pit in his "Girl of the Golden West."

Almost every adorer of the distinguished Italian felt, if he did not clearly say, that the root of all evil in this latest opera was the futile attempt to reduce every thought in the work to the "leit motif" form. Occasionally the result was startling in its power, as in the repetition at the end of Act 2 of the strained cries of pain and effort previously heard when *Minnie* desperately pushes *Johnson* up the ladder. The transformation of this music into an expression of her hysterical triumph is nothing less than a stroke of genius. But does one wish to hunt this sort of thing to its lair throughout an entire opera?

When Wagner built the scores of his "Ring" dramas on the representative theme system he provided a musical dictionary for a colossal poem. Here the system is not only its own excuse but the demonstration of its own fitness. The most important themes become clear and lucid before the mind in the course of the representation of the entire series. If they seem at first somewhat uncertain in purpose we soon appreciate their meaning. Once having heard "Rheingold" and listened to the episode of the entrance of the gods into Walhalla, we are not at a loss to know of whom *Sieglinde* speaks in her scene with *Siegmund* when she describes the stranger driving the sword into the tree and the composer fills our ears again with the Walhalla music.

But how different the system has become in the hands of Wagner's disciples! We are now expected to grasp the entire plan, always a complicated one, in a single opera. Not now does the return of the "Siegfried" music in the final act of "Götterdämmerung" help us to see the actions of *Sieg ried's* life while he narrates them to the wondering vassals of *Gunther*. Not now does the dying *Isolde* apostrophize the dead *Tristan* in the strains of the music which he first employed to sing his love into her enthralled ear.

Now we have childish endeavors to follow this method, such as Puccini's use of the waltz in the first act of "The Girl of the Golden West," as the music of a subsequent love episode. It is a device which would be in place in an operetta from Vienna and it shows a masterly inability to comprehend the real significance of the Wagnerian system.

In Puccini's latest opera every one and everything has a theme. There is a theme for *Billy Jackrabbit*, the Indian, who has absolutely nothing to do with the development of the drama. The best melodic conception in the first act is the music of the post boy, which is heard just in this one scene and not again. A strangely labored similarity is sought in the two themes of *Johnson* and *Sonora*, and again in that of *Ashby*; for what reason? To convince us that they are all from the same part of the country, or are men of the same general breed? And if so, then why ragtime, with which the Westerner of '49 had no more relation than the prairie schooner or the Mexican greaser?

Richard Aldrich ("A Guide to the Ring of the Nibelung," 1905) succeeded in unearthing seventy-eight themes in the trilogy of Wagner. Freda Winworth ("The Epic of Sounds," 1897) found ten less, and Gustave Kobbe ("Wagner's Music Dramas Analyzed," 1904) caught seventy-one. Many readers will suspect that some of the motives escaped these industrious annotators. This is true, for an English writer many years ago proved that "Götterdämmerung" was the best of the four operas of the tetralogy because it had the greatest number of themes, to wit, ninety.

Let us accept this count. Now Wagner composed a tetralogy in which there is a sum total of ten acts and fourteen scenes. In all these we meet with ninety representative themes, some of which are repeated so frequently and so definitely that even without knowing the text one cannot fail to understand their application. Recall as examples of such themes the Rhine daughters' music, the smithy motive, the "Wurm" theme, the tarnhelm, the magic fire, Walhalla music, the Ride of the Valkyrs.

But when we sit down to the the delectable feast of Mr. Strauss's "Rosencavalier," a Viennese operetta raised to the Munich power and to be performed in a single evening, we are to struggle to identify 100 representative themes! May the gods give us joy!

Mr. Dukas treated us in "Ariane et Barbe-Bleue" to an opera in three acts in which representative themes were employed and very ingeniously up to a certain point. But the point so swiftly lost itself in the confusion of ideas. For example, nothing could be more brilliant nor musically more captivating than his masterly development of his jewel theme in the first act, but unfortunately that is the finish of this theme. It is after all not an expression of a fundamental emotional idea. It does not deal with one of the forces which create the drama. So again in the second act there are both atmosphere and mood in the orchestral treatment, but there is precious little upon which the memory can get a hold.

And when all is said and done what is the sum total of Mr. Dukas's opera? A brilliant, entrancing, beautifully constructed piece of orchestral description, aided by picture and action and text, but not at all by vocal musical communication.

Here at any rate Mr. Puccini avoided the snare set for the feet of the leading motive devotee. He at least made his personages sing some of his penny tunes. And this is what it seems to the present writer opera composers will have to bear in mind. Their great master and model, Wagner, wrote page upon page of voluptuous melody for the voices. He never forgot that while the orchestra was to furnish the musical background of his picture, the figures must be kept in the musical foreground. Wagner was a supreme man in his art, and he still seems to be misunderstood, even by his own followers.

W. J. HENDERSON.

Green Gray Khaki Replaces the Famous Red Trousers of the French Army

PARIS, April 27.—France is to lose one of its distinctive marks. The baggy red trousers of the soldiers, which strike every newcomer to the country, are to disappear and gray green khaki is to be the only wear. The proposed new helmet is meeting with some criticism, but it is said to be comfortable, light and a protection from sun and rain

Photo by L. Harlingue, Paris.

INFANTRYMAN, INFANTRY OFFICER AND CAVALRYMAN.

Photo by L. Harlingue, Paris.

ON THE RIGHT SOLDIER IN AN OLD UNIFORM, IN THE CENTRE AN INFANTRYMAN IN CAMPAIGN KIT, ON THE LEFT A CAVALRYMAN IN CAMPAIGN KIT.

Empress Eugenie's Bridal Pearls.

From the Gentlewoman.

Various are the superstitions attached to precious stones, and the prognostication of the lady who commented on the Empress Eugénie's bridal pearls had certainly ample justification in later years.

"It was a Spanish lady," says Jane T. Stoddart in her biography, "who as she admired the pearl necklace worn by the youthful sovereign quoted with melancholy foreboding that proverb of her country, 'The pearls which women wear on their wedding day are a symbol of the tears which they will shed.'

"I think it is Maeterlinck who says somewhere that luck really means the possession of a sixth sense, which means one of coming disaster or danger. The Empress Eugénie must surely have been possessed of the faculty, though alas! she did not profit by it.

"Strangely enough the Empress's first act after her marriage showed that her mind was brooding on images of death and sorrow. At the beginning of her honeymoon at St. Cloud she asked Napoleon to drive her to Versailles and there she inspected with mournful interest the rooms of Marie Antoinette in the Little Trianon.

"On returning to Paris the imperial pair visited the Archives Nationales and read Marie Antoinette's last letter, written from the Conciergerie on the morning of her execution. Eugénie in later years made a collection of relics belonging to the hapless Queen."

NOT LONG A MYSTERY.

A Big Tugboat, Loafing Down the River, Drops Into Fulton Market Slip.

A big tug coming down the East River close to the Manhattan shore, just clearing the ends of the wharves and coming along very leisurely, just loafing along, as a man might do who was walking slowly down a street to keep an appointment with somebody that he was to meet at a given point and time, and in fact that is precisely what this big towboat was doing at the present moment.

She loafed along thus down the river, close inshore in that way till she came to Fulton Market slip. In the slip at that time there were only two or three small fishing smacks, and these all up at the head. The big boats were all out, and thus practically empty the slip looked large and spacious.

The big tugboat came loafing, just moving, down the river till she had passed the end of the north wharf of the slip, and then her skipper stopped her. Now he began to back her, and the first thing you knew he was backing her into the slip. A minute later he had her backed up half the length of the slip and tied up at the south side of that north wharf.

And she was a big boat sure enough, one hundred and twenty feet long and with an engine of 850 horse-power, a big, able, powerful boat, and why this boat should drop in there and tie up like that in Fulton Market slip you couldn't help wondering.

But now at this very moment coming down the wharf you see a truck that has on it something bulky. The driver swings his team around till he gets the tail of the truck pointed down the wharf and then he holds up so, with the truck right abreast of the tug. That bulky object on the truck is something that is of about the same general proportions though of about four times the size of a big bass drum; but now you see what the bulky object is; and when you see that everything is all clear.

That great drum is a giant coil of rope, a tremendous hawser, a new hawser for the big tug, and it was to be delivered on this wharf at such an hour and minute, and here it was, on time, and here was the big tug precisely on time to the minute, come in here to get it.

It was a handsome, new, nine inch Manila hawser, 600 feet long and weighing about 2,600 pounds.

Then the tug's crew began getting this new hawser aboard the boat, and heavy as it was they did it very handily. It was not to go into use at once and so it was stowed for the time along one side of the top of the deckhouse, not coiled there but laid along, in twenty foot folds.

And then the tug cast off, and a moment later you saw her out of the slip and on her way down the river.

A hawser like as this costs about $350 and a big boat like this, busy and handling, maybe, two heavy tons a day, will use up four or five such hawsers in the course of a year.

INCOGNITOS OF ROYALTY.

Queens and Princesses Sometimes Travel as Plain Mrs. or Miss.

It has always been the custom of royalties to travel under assumed names, but though their incognito is respected most people know who they are. The King and Queen of the Belgians, who lately went to Egypt, travelled under the names of a Count and Countess de Kesh, and as this was a name not well known they were not recognized by most people.

The late Queen Victoria called herself the Countess of Balmoral, the Czar Paul I. and his Empress once went on a long journey to all the great courts of Europe as the Count and Countess du Nord. The last King of Sweden, of the ancient line of Wasa, Gustave Adolph IV., called himself Colonel Gustavson.

Queen Alexandra of England on one occasion, when she stayed in Paris, was under the name of Mrs. Stephens, says the *Gentlewoman* and Queen Maud of Norway when she makes an excursion often calls herself Miss Mills, while her sister, the Princess Victoria, travels often as Miss Johnson.

The King of Bulgaria travels as Count Murany, while the present King of Italy bears the name of Count Pollenza. The German Crown Prince and Princess call themselves Count and Countess Ravensberg, and his younger brothers Prince August-Wilhelm and Prince Oscar travelled as the Counts von Lingen.

The ex-Empress Eugénie when she is incognito is known as the Countess Pierrefonds in remembrance of a castle of that name that was once given to her by Napoleon III. The late King Edward was known as the Duke of Lancaster and King George takes for his travelling name the title of Lord Renfrew. The name under which Queen Alexandra generally travels is the Countess of Chester.

The late Empress of Austria always had her name entered as the Countess of Hohenembs. The King of Sweden is known as Count Tulgard. Ex-King Manuel of Portugal also was fond of being incognito and was then known as Count Varcelles.

Price of Hats Goes Up in Paris.

From the Queen.

The price of hats in Paris is going up in leaps and bounds. Once it was quite possible to get a very smart hat for 50 francs; now 300 is quite a general price in shops which are not even first class, and in all shops there is nothing desirable to be found under 90 or a hundred.

Of course one can get pretty hats for 25 francs, but one could not wear them in a milieu where it is the rule to "dress." As to the reason, I can find none except that milliners, like dressmakers, imagine the only way of spending money is to buy clothes.

They look aghast if one exclaims and indignant if one objects seriously. And they are all alike. I went with a girl to look at some dresses for the purpose of choosing a presentation gown this week, and when she said that she did not want to pay more than £40 to £45 the saleswoman pursed up her lips as if she had said 45 shillings and said it was pretty close figuring.

BEATEN AT POKER AND AT LAW ALSO

Two Heavy Reverses in One Day for the Experts of Arkansas City.

"Some'res in the Good Book," said old man Greenlaw, "there's a meracle told 'bout how the Lord learned the Jews a gre't moral lesson when they was loafin' 'round in the desert dead broke a'ter done losin' the most o' their flocks an' herds an' little ones playin' Pharaoh in Egypt.

"'Pears they was that hard up what they didn't had enough to eat, an' the Lord took pity on 'em an' rained manna down onto 'em over night. This here manna wa'n't nothin' but locusts an' wild honey, but the Jews was that put to it fo' victuals what they done eat too much an' the Lord done punished 'em by turnin' the stuff into worms.

"Likely that was a good way fo' to treat 'em fo' bein' greedy, but th' ain't no record o' nobody bein' punished that-away fo' winnin' all th' is in sight when it comes to draw poker. Poker ain't no such sinful game as Pharaoh, anyway, bein' 's Pharaoh's gamblin' an' poker's science, like I done said often. 'Pears like yo' uns was almighty slack' lettin' that yap get away last night with mo'n half his wad in his jeans."

This unexpected application of the old man's Scriptural homily was so great a surprise to his hearers that they sat in silence for some minutes, while he gazed at them reproachfully, not to say angrily. At length he spoke again.

"What Arkansas City 'pears to need," he said, "is mo' public spe'rit. When a yap like him f'm some'res in the country comes to town with a sizable wad an' sets into a game with experts the c'munity has a right to 'xpect what that there floatin' capital had oughter be left right here. 'Pears like there's somepin' shif'less 'bout leavin' him get away with the most on it."

Again the old man glared and again there was silence, but a reply of some sort seemed to be almost necessary and Jake Winterbottom said rather sullenly:

"Ain't no way as I knows on o' makin' a man play no mo' poker 'n he wants to. This here yap said he'd got enough, O' co'se," and this was said sarcastically, "we uns mought 'a' dealed him a few mo' hands, but bein' 's he wouldn't put up no mo' money there didn't 'pear to be no p'tic'lar use into it."

"Said he had enough, hey," snorted the old man with vast scorn. "Well, I ain't a-sayin' but what he had. What I'm gettin' at is how I didn't get enough. The c'munity didn't get enough. Yo' uns didn't get enough. Go to!"

And he produced a fat black cigar, which he proceeded to divide into two parts, one of which he used as eating tobacco and the other as smoking tobacco simultaneously. Again there was silence.

"Mebbe," suggested Sam Pearsall after a pause, "he mought come back."

"Pish! Tush!" exclaimed the old man still more scornfully, but on the instant the door opened and the man they were talking about entered the saloon.

It seemed evident from his appearance and the manner of his walking that he had no need of immediate alcoholic stimulation, but of this he had no realizing sense apparently, for after making his way deviously to the bar he laid hold of it with both hands and looked around with a smile.

"Less have drink," he said thickly, and those who were sitting down immediately arose.

"Wha' kind place 's Arkansas City?" he demanded of the company after he had paid for the liquor, displaying much money as he did so.

"Well, that d'pends," said old man Greenlaw urbanely. "I reckon 'tain't such a hellroarin' d'sirable place fo' a protracted meetin', an' th' ain't no overwhelmin' demand fo' no newspapers an' sich into our midst. But fo' the reel necessities o' life th' ain't nowheres else to go what's any better. Yo' c'n get rum an' tobacco here, an' the draw poker is the best th' is anywheres along the Mississip'."

"'S what I thought," said the stranger, "bu' feller up 't hotel says mus'n't play poker 'thouten sober. Tol' 'm go t'ell. Play better game drunk 'n can sob——"

"Some does," replied the old man gravely. "An' if that's so th' ain't no reason why these gents can't entertain yo' all fo' a spell."

"Yo're on," said the stranger, and the cards and chips were produced without delay, though the old man insisted on treating in his turn before the game began.

"Bein' yo' all plays better fo' bein' in liquor," he said merrily, "th' ain't no harm in takin' plenty."

"Qui' ri'," said the stranger, and he ordered another round.

The liquor called for seemed to have no additional effect upon him, and he began at the game with what appeared to be almost intelligent interest. It was true that his fingers were less nimble than they had been the night before, but he counted his chips and the money he paid for them accurately and made his bets with due regard to the value of the hands he held.

It could not be considered as an equal contest for him, even if the form players who were pitted against him had not been open to the suspicion of playing together, for they were all noted experts, but with the prospect of an easy victory they played along for a time, not carelessly indeed but tolerantly and with perfect fairness. It seemed wanton to exercise undue skill in playing with a man in such a condition as he was.

For a few rounds therefore there was no special interest to the game, but after a time the local talent was surprised to find that the stranger, though he made no particularly large winning on any single hand, was slowly but steadily increasing his pile of chips.

"Damfidon't think he does play better when he's drunk," said Joe Bassett under his breath to Jim Blaisdell, who sat next to him, but the stranger heard it.

"'S what said," he chortled. "'S ase 'nother." And old man Greenlaw served it, though he looked anxiously at the stranger's pile and reproachfully at his cronies.

Still there was no unseemly haste shown in the effort to trim the predestined victim, as he was considered. It was Pearsall's deal and a perfectly square one, but it happened that the stranger sat next and had put up the ante.

Bassett came in and Blaisdell trailed. Then Winterbottom raised it and Pearsall saw the raise but went no further.

The stranger looked over his hand and after some hesitation reraised. That let the next two out, but Winterbottom put up all his remaining chips and Pearsall trailed again. Two chances, he figured, were better than one against the stranger's possibly strong hand.

The stranger's reply was to shove his own pile in the pot. That left Winterbottom with a show for what he had put in, for it was a table stake game, but Pearsall had still a few chips and a small fund, so he called for what he had.

The stranger's full was the largest, though, and Winterbottom and Pearsall each called for another $100 in chips.

Old man Greenlaw brought the chips, but he said bitterly, "Yo' uns 'pears to be settin' in fo' a all night session."

"I reckon not," said Blaisdell, "but this here gent sho' has some luck."

"Luck hell," said old man Greenlaw, and he left the card room.

On the stranger's deal there was nothing doing so far as anybody could discern, but if they had been more suspicious the other players might have noticed that there were less than fifty-two cards in the deck when Bassett took it.

Winterbottom and Pearsall both came in on Blaisdell's ante. Then the stranger raised, Bassett reraised and Blaisdell trailed. The next two dropped and the stranger reraised. Again the Arkansas players had too much confidence, and when the stranger showed down four queens he had driven Bassett and Blaisdell to the boneyard.

But when they called for more chips the stranger arose unsteadily and started for the bar.

"Quit loser las' ni'. Winner 'lso. Quit fo' good now," he said. And he called for more liquor.

"Yo' can't buy no drinks in this house," declared old man Greenlaw, thoroughly exasperated. "Yo're drunk, sah! Sheriff, arrest that man an' arraign him befo' me fo' bein' drunk an' disorderly. There can't no yap come into no co't room when I'm justice o' th' peace an' skin Arkansas City citizens outen their hard earned winnin's 'thouten me havin' somepin' to say."

Court was convened immediately and the unhappy inebriate was searched preliminary to a hearing. As he had $300 in his pockets the justice fined him $300 and costs and was putting the money in his pocket when another stranger entered the room.

Him the first one hailed with tears of joy.

"Got 'n troub', squire," he said. "Wan' lawyer. 'Pear fo' me, Pete."

"Sho' thing," said the other. "What's it all about?" And when they explained he said: "This is a serious matter. As this defendant's lawyer I hereby file an appeal from your Honor's decision and will carry the case directly to the Court of Appeals. Furthermore and moreover I now apply to Judge Higginbotham of the Supreme Court, who is the defendant here present, for a writ of ne habeas capias ex redditur against the justice here presiding. Will you sign the writ, Judge?"

"Sign anythin' yo' say, Pete," said the other, and Pete drew out a sheet of paper and prepared to write.

"Hold on there," exclaimed old man Greenlaw. "What's that there writ yo' was mentionin'?"

"It's a proceeding against you for misprision, malfeasance, barratry and extortion," said Pete. "If yo're found guilty it's two years in the penitentiary."

"There's some mistake about this," said old man Greenlaw earnestly. "Th' boys was talkin' some, 'o b'ut this here Judge Higginbotham not feelin' well, I took his Honor's wad fo' safe keepin'. Joe was just goin' to take him up to the hotel an' Jake was goin' fo' the doctor. If yo' all is his lawyer I'll turn him an' his wad over to yo' all an' all hands 'll have a drink on the house."

"Well that's all right," said Pete, "but there's $100 costs to pay in that p'ceedin' fo' misprision, malfeasance, barra——"

"Don't say no mo'," said the old man. "Here's the money. What are yo' goin' to have?"

And after the strangers had drunk and departed the old man sank into a chair and wiped the perspiration from his reeking brow.

"That there sho' was a narrer escape," he said.

"Oh, I don't know," said Owen Pepper, who had came in during the court proceedings and had shared in the last round, "Them two is the slickest timberas th' is outen jail. One on 'em is——"

Then he departed hurriedly.